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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/932,659

08/17/2001

Denise Minnigh

208802/016

4573

7590

04/09/2003

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EXAMINER

SONG, HOON K

ART UNIT

PAPER NUMBER

2882

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/932,659	Applicant(s) MINNIGH ET AL.	
	Examiner Hoon K Song	Art Unit 2882	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
     If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some    \* c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
     a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Dewaele et al. (US 6273606B1).

Regarding claims 1 and 11, Admitted prior art teaches an X-ray film cassette device comprising in combination:

a rectangular cartridge body having a front wall, a pair of sidewalls and a back wall (admitted prior art, );

a rectangular cover (6) hinged at one side thereof to the back wall of said body by means of a pair of hinge means (3) (admitted prior art) ;

a pair of latch means (8) provided at one side of said cover opposite to the hinged side, said latch means being manually operable to be moved from a latching position to a released position (admitted prior art).

However, the admitted prior art fails to teach at least two imaging plates or photostimulable phosphor sheet overlapping so as to prevent the loss of diagnostic information (figure 1a, column 4 line 1+).

Dewaele teaches the X-ray cassette having at least two imaging plates overlapping.

In view of Dewaele, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to adopt the two or more cassette in order to take a full spine of a patient (column 3 line 61+). Accordingly, one would be motivated to adopt Dewaele's invention because the overlapping would completely cover the cassette (column 1 line 27+) and the overlap zone would be less exposed (column 1 line 38+) to take full spine image.

Regarding claims 2 and 12, Admitted prior art teaches that said at least two imaging plates can be processed by a computed radiography reader without manually removing imaging plates from cassette (admitted prior art, ).

Regarding claims 3 and 13, Admitted prior art teaches that said system works in a FCR 5000 CR Reader imaging device (admitted prior art).

Regarding claims 4 and 14, Admitted prior art teaches that indicia marks on said imaging plates such that said imaging plates can be automatically aligned (admitted prior art).

Regarding claims 5 and 15, Admitted prior art teaches that at least two imaging plates are separated by a "Z" fold of material sufficient to prevent said overlapping image plates from coming into direct contact with each other (admitted prior art).

Regarding claims 6 and 16, Admitted prior art teaches that said imaging plates are 14" x 17" in dimension (admitted prior art).

Regarding claims 7 and 17, Admitted prior art teaches X-ray film that can be used in the cassette device (admitted prior art).

Regarding claims 8 and 18, Admitted prior art teaches a photo-stimulable phosphor sheet that can be used in the cassette the device (admitted prior art).

Regarding claims 9 and 19, Admitted prior art teaches that the x-ray images generated by the use of the cassette device (admitted prior art).

Regarding claims 10 and 20, Admitted prior art teaches that said system works in any Fuji CR Reader imaging device (admitted prior art).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bucky (US 3725703) teaches the overlapping cassette.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoon K Song whose telephone number is 703-308-2736. The examiner can normally be reached on 8:30 AM - 5 PM, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on 703-305-3492. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-746-4858 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Hoon K. Song  
March 24, 2003



**DAVID V. BRUCE  
PRIMARY EXAMINER**